

A
DISCOURSE

REPRESENTING THE
LIBERTY of CONSCIENCE,

That is Practised in
FORREIGN PARTS.

By N. Y. — +



L O N D O N,
Printed for *Nathaniel Brook*, and are to
be sold at his shop at the *Angel* in
Cornhill, 1661.

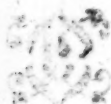
DISCOLLE

REPRESENTING THE
LIBERTY OF CONSCIENCE

That is Printed in

FORRIDGE F. A. T. S.

By N. Y.



L O N D O N

Printed for Wadsworth, Brooks, and are to
be sold at his shop at the Angel in
Cornhill, 1861.

**THE
LIBERTY OF RELIGION,**

Which is in use amongst

PROTESTANTS.

In first inquir'd what
Liberty the States
which profess the Pro-
testant Religion give to
different opinions with-
in their Dominions?

To this I shall briefly answer, and
begin with the Northern Climate,
going along and relating what I have
observed in every different Jurisdicti-
on.

When I was in *Sweden*, I found the
Administrators of that Kingdom very

much inclined to Moderation towards the Reformed party, for they suffered them not only to have School-masters of their own to teach their Children, but also they permitted them to have private meetings in their distinct Colonies, wherein they had the free use of holy Ordinances in their own way without disturbance: And although the Clergy of the Nation did not willingly allow this; yet whiles the King *Gustavus* and his Daughter the Queen *Christina* ruled, their Liberty was not abridged; but when *Charles* came to the Crown by the Resignation of *Christina*, the old Chancellour *Oxenstiern*, in favour of the Clergy, caused the King to take an Oath at his Coronation, whereby he was obliged not only to restrain all publick exercise different from the Lutheran, but also to abridg the Reformed party of the Liberty which they had formerly enjoyed; which hath had some operation upon their freedom: but how far they are abridged of it now, I am uncertain.

In

In *Denmark* there is no Liberty granted to any that differs in judgment, so far as I have been acquainted with that State, only in *Holstein*, when the Remonstrants after the Synod of *Dort*, had not that Liberty which they desired in *Holland*, they planted themselves in *Eidersh* at *Fridericksburg*, where they and others also obtained the priviledg of the exercise of their profession without control, which is continued unto them still. Moreover, in *Holstein* at *Altena*, the High and the Low Dutch, and the French Reformed Churches have the Liberty of publick meetings in their profession; who dwelling in *Hamburg*, and not obtaining that Liberty within the City, have procured it within a little English mile from the Gates thereof.

In *Dantzick*, the three Professions, *viz.* Reformed, Lutherans, and Papists, have, or rather had, an equall liberty in the time of *Keckermannus*. The Reformed party had the preemi-

nence of the Government, and then they did in a friendly manner admit of some Lutherans to share with them in it (for in Religious concerns all were alike;) but since they have been admitted to partake with them in the Government, they have found a way to worm the Reformed party out of power, by which means they have abridged them of their ancient Priviledges and Liberties; so that before these late troubles they were forced to appeal to the King of *Poland*, who made decrees in favour of the Reformed party; but in these late troubles the waies of redress have been obstructed.

And at *Elbing*, when I was there the chief of the Magistrates, and the regents of the School also, being of the Reformed Religion, the Liberty was so equal that no party had any perceptible power over the other, but all was carried with that moderation, that no offence was either taken or given while I was there: but since (I fear)

feare) it is fallen out otherwise, a fierce Lutheran Minister succeeding in the room of him that then was there, who by dividing practises, and distinguishing forms, hath disturbed their Peace.

In *Poland* there was an absolute freedom for the exercise of all professions, and the venting of all opinions; the Papists, the Protestant, Calvinists, Lutherans, Anabaptists, Socinians, &c. all had an equal Liberty: and because the Protestants in former time found that by their Divisions, and distance in Communion from each other they were much weakned, therefore in the year 1570. they agreed at *Sandomire*, in a Synod of the three parties, viz. the confession of *Helvetia*, of *Bohemia*, and of *Ausburg*, to unite and make up but one body; to which effect they established afterward at many National Synods severall Orders, to remove and prevent scandalls and disorderliness from amongst themselves, and to confirm their uni-

ty by the means of mutual Edification.

In *Transylvania* both the Reformed and the Lutheran profession are equally free, and in Nationall Synods they meet together, and consult in common, concerning the means of mutual edification ; whereof I have a large prooffe in the business of Peace and Unity , concerning which they have done more then any of the Churches in *Europe*, by answering all the doubts which were proposed unto them as Cases of Conscience to be resolved.

In *Germany* heretofore the reformed party did freely exercise their Religion under the Protection of the Princes of their own profession ; but the Lutherans did always make it a matter of Dispute , whether that Liberty did belong unto them yea or no ? yet now the Treaty of Peace lately concluded at *Munster* and *Osnabrugge* hath decided fully that controversy ; for, by a Statute-law it is deter-

terminated that the reformed party shall have the same right and privilege of free exercise which Lutheranes and Papists have; and this is thus determined by the 7th. Article of the Instrument of Peace. *Quoniam verò controversie Religionis, &c.*

Now because the controversies of Religion, which are in agitation at this time amongst the forenamed Protestants, have not been hitherto reconciled, but have been referred to a further endeavour of agreement, so that they still make two parties; therefore concerning the right of reforming, it is thus agreed between them; That if any Prince, or other Lord of the Territorie, or Patron of any Church, shall hereafter change his Religion, or obtain, or recover a Principality or Dominion, either by the right of succession, or by vertue of this present Treaty, or by any other Title whatsoever, where the publick exercise of Religion of the other party is at present in use, it shall be free to him to have his Court chaplains of his own Confession about

about him in the place of his Residence, without any burden or prejudice to his Subjects; but it shall not be lawfull for him to change the publiak exercise of Religion, or the Laws or Ecclesiasticall Constitutions which have been there hitherto in use; or take from these that formerly were there their Churches, their Schooles, their Hospitals, or the revenues, pensions and stipends belonging therunto, or apply them to the men of their own profession; or obtrude Ministers of another Confession unto their subjects, under the pretence of a Territoriall, Episcopal or Patronall right, or under any other pretext whatsoever; or bring about any other hinderance or prejudice, directly or indirectly, to the Religion of the other party.

And that this agreement may be the more firm, in the Case of such a change, it is lawfull for the Communalties themselves to present; or such as have not the right of presentation, they shall have the right to name fit School-masters, and Ministers of the Churches to be examined by

the

the publick Consistory or Ministry, if they be of the same Religion with the Communalities, which nominate and present; or if they be not of the same Religion, they shall be examined in the place which the Communalities shall chuse; whom the Prince or Lord shall afterwards without any denial confirm.

This Statute-law of the Empire is the ground of all that freedome which the Reformed, or the Lutheran party, can lay claim to, when they fall under Magistrates of a different profession.

As for the observation of this Law, it is found that the Reformed Magistrate is almost every where more equitable towards Lutherans, then these are unto those: for in the Palatinate, at Heidelberg, and other places; in Hessen, at Smalcalden, and at Marburg, and in some places of Anhalt; in all the Territories of the Elector of Brandenburg, and in the Principalities of Nassau, where the Reformed have the supreme power, the Lutherans have their

their full liberty without interruption; but where the Lutherans have the supreme Authority in *Germanie*, I know no places where they permit the free exercise of the Reformed profession; but in the places named heretofore in *Holstein*, at *Fridericksburg* and *Altena*; and in *Hamburg* the *English* have their freedome within the City, but none else; nor doe I know any Imperiall City where the Magistrate is Lutheran, which permits the Reformed party to have the liberty of publick profession within their walls: there is one of the Lutheran Earls of *Hanaw*, who hath given of late years to the Reformed party dwelling in *Strasburg*, the liberty to build a Church upon his Territory, and to have their publick meetings therein: and one of the Lutheran Marquesses of *Brandenburg* hath done the like a year or two ago to the Reformed inhabitants of *Norimberg*.

At *Bremen*, where the Magistrate is wholly reformed, within the City the
Lu-

Lutherans have the possession of the Cathedrall Church, where they exercise their Religious Worship in publick; but there are complaints made of the late King of *Sweden*, that in the Territory under his Jurisdiction he hath suffered the Statute of the Empire touching the freedom of Religion to be violated, by casting out the Reformed Ministers, and imposing Lutherans upon the Reformed Professors, depriving them of the Liberty which they have enjoyed ever since the first Reformation of these places from Popery.

In the Low Countries of the united Provinces, the Lutherans, the Remonstrants, and the Anabaptists have a freedom to meet in a publick way; others of all sorts do meet in private: and the difference which is made between the Professors of severall parties is chiefly this; that the Reformed party, which doth own the National Confession, and are owned to be Members of the National Congregations

tions, have only the Priviledge and Preeminence of being admitted to places of Trust in the State, from which all others are excluded. And this Liberty of Religion which the united Provinces have yielded and maintained unto all sorts, hath made that little spot of ground to be the Centre of the Trade of *Europe*, having onely three Sea-Ports, the *Wieling*, the *Mase*, and the *Tenel*: and these Ports are not easie neither, but difficult to be entered.

In the Cantons of *Switzerland* and *Geneva* there is no different Profession publickly tolerated: although in the Circumstantial way of the Administration of Ordinances, and in the particular order of Discipline and Government, each Canton is different from another; yet they fall not out about their differences, but correspond in a friendly manner in matters of common concernment.

In *France* the Protestant Churches are to be considered within themselves

selves, for the Liberty which they enjoy under their Popish Magistrate is not under our consideration; but the liberty which their Nationall Synod doth give to particular men to professe different opinions without breach of unity in the Church, is that which is to be observed, and may be a president to teach others Moderation; for in the late Controversies between *Monsieur du Moulin* and *Monsieur Amyraut* concerning Predestination, wherein many others were engaged on both sides, although some heats did begin to break forth; yet the Nationall Synod hath allayed the distemper, and preserved Peace and Unity in the Churches, notwithstanding the difference of judgment which was found amongst them. The freedom which the particular Churches have to depute some of their members from their Consistories to the Colloques and Provinciall Synods is the means to preserve their Unity and Peace.

In

In *Switzerland* the freedome which the Churches enjoy doth wholly depend upon the Constitution of their order, as ratified by the Civil Magistrate, who in each canton is Sovereign; and upon the correspondency between the Churches, which is ordinarily managed by those of *Zurich* towards all the rest: for as the Canton of *Zurich* hath the precedency, and direction in all Civil matters of common concernment, so hath the Antistes and Consistory of *Zurich* in matters Ecclesiasticall a kind of trust put upon them to communicate to the rest, by way of correspondency, matters to be advised on for mutuall concurrence.

In *Germany* there is no such correspondency between the Churches, but their freedome, in the exercise of Discipline and Government depends wholly upon the Sanction which the Prince and his Ecclesiasticall Senate or Consistory doth make concerning the order and way of administering all things.

In

In the *Low-countries* the freedome of meeting in Classes and in Synods ; (in Classes every Month, or oftner, if need be, according as the Classes are divided) in Synods Provinciaall every year once) is the preservation of these Churches in unity ; for the six Provinces, viz. *Gelderland, Holland, Utrecht, Friesland, Groning, and Overysse*, hold their Synods so consecutively, that they can send from each Synod Deputies to another, to correspond with them, and to communicate matters of Deliberation, that there may be no causes of breaches between them ; the Province of *Zeeland* hath no settled time of Synodical meeting, but the Classes of *Middelburg* upon all Emergencies doth give notice to the other Classes, of the adjacent Islands of matters to be taken into consideration : So that in the *Low-Countries* the Liberty to meet for the ordering of all things within themselves, which preserves the

H Churches

Churches in *France* ; and the Liberty to correspond and to communicate one with another the things which they settle by order, which preserves the Churches in *Switzerland*, is more complete then any where else ; and because the Deputies, or rather Commissioners from the Civil Magistrate are always present at the Provinciaall Synods, therefore their decrees are more valid, and yet altogether free in matters of spirituall concernment.

This is the Liberty which I have observed to be in use amongst Protestants within themselves, in the exercise of their profession, by publick meetings, by the administration of Government within themselves, by Classes and Synods, and by a Correspondency with one another in Religious matters. As for the Liberty which particular members have in each Congregation, and which the Congregati-
ons

ons have in each Classis or Col-
logue, and by what Rules that Li-
berty is limited, is a matter of
more diffuse consideration, and per-
haps of little use for the end for
which this information is desired:
therefore I shall not enlarge upon
that subject.

H 2

The

175

THE ... OF ...

... OF ...

... OF ...

... OF ...

... OF ...

... OF ...

... OF ...

... OF ...



OF THE
LIBERTY of RELIGION

In use between

PROTESTANTS & PAPISTS.



If it be inquired what Liberty Papists have where Protestants bear Rule, or Papists give to Protestants when they have all the power :

It may be Answered by the consideration of the places where each power is prevalent.

On the one side, in *Sweden* and *Denmark*, and in all the Territories of the lower and upper *Saxony*, wherever Protestants have the sole power, no Papists are permitted to have any

publick exercise of their Religion ; and on the other side, in *Austria, Bohemia, Moravia*, and all the heritable lands of the House of *Austria*, in *Francia, Bavaria*, and the upper Palatinate where the Papists have the sole power, no Protestants are permitted to have the publick exercise of their Religion.

These whole Territories forenamed on each side being entire Bodies within themselves, under one head either of the one or the other profession, without the intermixture of different Dominions, are uniform in the exercise of their Religion respectively different. But the intermediate parts of the *German Empire* are interwoven under severall Princes of different Religions, and therefore are of a mixt profession : my meaning is not, that the professions and forms of Religion's worship are mixed and jumbled together in one ; but that both professions are exercised, some here and some there, in different places.

And

And because the inhabitants of the intermediate Territories being mixed, and pretending to have each of them a right to the same places of worship, quarrells and strife did arise amongst them, therefore when they deprived one another of the freedom to exercise their profession, the Treaty of Peace at *Munster* and *Osnabrugge* did appoint the Restitution of places for the publick exercise of Religion on both sides, and ordered that all matters of this kind should be settled thenceforward as they were in use heretofore in the year 1624. which order occasioned a Deputation from all the States of the Empire at *Francford* in the years 1656, 57. and following, to see that Decree and other matters put in execution.

Now the Intermediate Territories are the Circles of *Westphalia*, of the *Rhine*, of the *Welterans*, of *Franconia*, and of *Suaben*; containing many Principalities and great Cities depending im-

mediately upon the Empire; which being of different professions, and mixed one with another in respect of their Territories and Jurisdictions, in the time of war none that was prevalent did suffer a different Religion to be exercised: But since the Instrument of the Peace made at *Munster* and *Osnabrug* was published, the Liberty of Religion is to be Regulated universally by the seventh article, and some other articles determining matters between Protestants and Papists; and according to this Constitution, although some Territories which formerly were under Protestant Princes are now under a Popish power, and *vice versa*, yet the Liberty of Religion is to be left unto each party as it was used in the year 1624. Thus the Duke of *Newburg*, and one of the Landgraves of *Hessen*, and a Prince of *Nassau*, and some others, are obliged to leave unto the Protestants within their Dominions the free exercise of their Religion which formerly they had.

had. In like manner in some of the Imperiall Cities, as in *Francford*, *Ausburg*, and others, the Papists have their free exercise restored unto them amongst the Protestants; at *Ausburg* also the Magistrate is half of the one and half of the other profession; but in all the other Imperiall Cities, so far as I remember, the Magistrates are wholly Protestants, except at *Collen* and *Heilbron*, where they are wholly Papists.

Thus matters of freedome stand in the *German* Empire.

In *Poland*, *Hungaria* and *Transylvania*, the Protestants and Papists have heretofore had a promiscuous Liberty; onely whensoever of later times either of the parties did grow more prevalent in power, they have abridged each other of their Liberties: and now at this time the Protestants of *Transylvania* have put themselves under the Protection of the *Turke*, to maintain the Liberty of their Conscience, because the Jesuits by the power of the Empe-

Emperour, which they can command to bring about their designs, would have forced them to embrace their Superstition.

In *Switzerland* the Protestants and Papists when they made their league at first to maintain joynrly their Liberties against the House of *Austria*, or any other pretenders to have Jurisdiction over them, they agreed mutually upon this also, that if any of the Natives living in the Cantons of either side should change their Religion, (for then they were perfectly divided and separated upon the interest of Religion, and so have continued still, that no Papists have any free exercise of Religion among Protestants, nor Protestants among Papists;) that then they should be permitted respectively to sell their goods, and transport themselves unto the party whose Religion they should embrace: but of late the Popish Canton *Switz* did break this agreement, and would not suffer some of their Native inha-

inhabitants to partake of this freedom, but finding that some families had changed their Religion, they did confiscate their goods ; and taking hold of some of them, by the Instigation of the Friars and Jesuits, they condemned some of them to death, and others to the Gallies ; which was the cause of the late war which broke forth amongst them ; and although they cease from open Hostility, yet this business is not fully composed.

And because there are some places of Common Jurisdiction, wherein there are inhabitants of both parties, and the Cantons of each Profession put governors by turns for some years over them, it falls often out that the Protestant inhabitants in these Jurisdictions are commonly abridged of their Liberty by the Popish Governors ; which gives continuall occasion of complaints and disputes between the Cantons, and at last may break forth to some violent rupture, and to a totall suppression either of the one or the other.

In

In *France*, by Vertue of the Edict of *Nantes*, the Protestants ought to have the full Liberty of their Religion in the places of their abode, and enjoy all the Rights and Priviledges which belong to Natives; but since the time of our troubles in *England* they have been very much abridged thereof in severall places; yet in *Oliver* the Protector his time they got some enlargement, which now since the Peace is made with *Spain* doth cease, so that they are under the danger of being persecuted every where, as being exposed to the fury of the multitude, without any assurance of Safety, further then it is an inconveniency to the Sociery of Papists themselves with whom they live; otherwise the Jesuits and Popish Emissaries are restless to stir up their zelots to molest them, and do what they can to extirpate them; witness that which fell out of late at *Montauban*, at *Bordeaux*, at *Dieppe*, and and elsewhere.

In the Vallies of *Piemont* the poor Churches

Churches there since the Peace made have still been molested more or less without intermission; for besides other matters, that which is their chief concernment, namely the Liberty to meet at *St. Giovanni*, to exercise their Catechisme, that not only the youth may be instructed, but those of riper years confirmed in the Protestant Religion, is wholly taken from them. This Liberty is in a manner the whole substance or chief part of their publick exercise; this formerly they have always had, and by this last treaty of Peace it hath been confirmed unto them; nevertheless they are deprived of it, and new matters of quarrell are formed against them for other pretences, and chiefly against their Ministers; for the designe is to fright away their Leaders, that being scattered like lost sheep upon the mountains, they may become a prey to the wolves that seek to devour them.

In the Low-countries both of the United and of the *Spanish* Provinces, there

there is a certain reciprocall Liberty for the Papists in the Dominions of the States, and for the Protestants in the Dominions of the *Spaniard*; but the Liberty is not equal, for in the United Provinces the States allow the Papists a certain number of Priests to administer unto them the things belonging to their Conscience in a private way, which is done by an expresse concession or condescension; but in the *Spanish* Dominions no such thing is granted unto the Protestants who live amongst them, but the Ministers who administer Holy things unto them privately, do it at their perill; they have no Concession to attend any private meetings, but only they are winked at, and suffered to doe (what they venture upon) by way of Connivence; so that the difference is, that the Papists in the United Provinces have an assurance of freedome which they enjoy, but the Protestants in the other Provinces have no such freedome assured unto them; which makes the Papists increase

crease and multiply in the Dominion of the States, and the Protestants diminish in the other Provinces: and the effect of this may be, that when some of the Papists shall creep into places of power, and finding the Protestants divided amongst themselves, and their own party strong enough to make a head with the assistance of neighbour foregin forces, they may make a totall change of Government in that Commonwealth.

FINIS.
